

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

JAMES M. CROSS and DEBORAH CROSS,)	
)	
<i>Plaintiffs,</i>)	
v.)	No.1:04-cv-108
)	<i>Edgar / Carter</i>
CITY OF CHATTANOOGA,)	
TENNESSEE, GLEN LEMLEY, JR.,)	
NORFOLK SOUTHERN)	
RAILROAD and DOES 1 THROUGH 5,)	
)	
<i>Defendants.</i>)	

JUDGMENT

In accordance with the accompanying memorandum opinion, the motion for summary judgment filed by defendants City of Chattanooga, Glen Lemley, Jr., and Does 1 through 5 [Court Doc. No. 27] is **GRANTED**.

Plaintiffs' claims pursuant to 42 U.S.C. § 1983 brought against the City of Chattanooga and Glen Lemley, Jr. are **DISMISSED WITH PREJUDICE**. Plaintiffs' state law claims against the City of Chattanooga and Glen Lemley, Jr. are **DISMISSED WITHOUT PREJUDICE**. Plaintiffs' claims against Does 1 through 5 are **DISMISSED WITHOUT PREJUDICE**.

Costs are awarded to the defendants. The Clerk of the Court shall close the file in this case.

This is a **FINAL JUDGMENT**.

SO ORDERED.

ENTER this *3rd day of October, 2005*.

/s/ R. Allan Edgar

R. ALLAN EDGAR
CHIEF UNITED STATES DISTRICT JUDGE